



## ACTON PLANNING BOARD

Minutes of Meeting  
February 27, 2007  
Acton Memorial Library

**DRAFT**

Planning Board members Mr. Greg Niemyski (Chairman), Mr. Christopher Schaffner (Vice Chair), Mr. Edmund Starzec (Clerk), Ms. Ruth Martin, Mr. Bruce Reichlen, Mr. Michael Densen and Mr. Alan Mertz attended. Also present were Town Planner, Mr. Roland Bartl and Secretary, Ms. Kim DelNigro.

Mr. Niemyski called the meeting to order at 7:31 PM.

### **I. Citizens Concerns**

None raised.

### **II. Consent Agenda**

Item A, Minutes of 2/13/07 passed by unanimous vote.

### **III. Reports**

CPC: Mr. Starzec reported that the CPC will be meeting on this coming Wednesday night and the final decisions will be made on project recommendations to Town Meeting.

Open Space: No Meeting.

### **IV. Grassy Pond Place (53 Fort Pond Road) Definitive Subdivision PH - Continuation**

Mr. Niemyski opened the public hearing at 7:45pm. The property at 53 Fort Pond Road proposes a residential compound for the subdivision into four lots of a tract of land on the Littleton line. There is presently one house on the +/- 8.8 acre parcel, of which less than 8 (+/- 7.4) acres are in Acton and +/- 1.4 acres are in Littleton. Mr. Rich Harrington of Stamski & McNary, Inc. provided the Board with plan revisions to address the departmental comments and concerns from the previous hearing: septic system design, revised turnaround provisions for a SU-30 vehicle, drainage system design, roadway grading at entrance to Fort Pond Road, street addresses and numbering, additional survey monumentation along the road layout, and planting trees and shrubs for screening.

The motion was made to close the public hearing, 2<sup>nd</sup> and all in favor.  
Staff will draft a decision for next meeting.

### **V. Verizon Wireless, 820 Main Street – PH Continuation**

Mr. Niemyski opened the public hearing at 8:00pm. Mr. Bruce Reichlen recused himself due to being a close abutter to the property. Representatives present for Verizon: Mr. James Valeriani, attorney. Board members reviewed documents and revised plans. Mr. Valeriani provided information related to the questions and issues raised at the 2/13/07 Planning Board hearing. With respect to the 982 Main Street location (McKay property) he stated that the use of wireless back haul instead of fiber optic cables has been evaluated by Verizon and that they are not in favor as there are numerous concerns and complications including the need for a third party approval. Mr. Valeriani stated that Verizon Wireless needs a standard utility easement with the McKay's and acknowledged that there is a possible overloading issue with the facility at 982 Main St.

Mr. Valeriani stated Verizon Wireless is planning to activate the Post Office Square site soon.

The Planning Board questions and concerns included:

- Any results from testing fiber optics cable installation observed a week or so earlier?
- Explain the difference in stealth monopoles.
- Explain the difference in standard array poles.
- Could the equipment storage compound be larger?

Abutters in attendance raised questions and concerns regarding:

- How many carriers are on the cell tower at 982 Main Street?
- Can any of the antennae there be removed?

The Board directed the applicant to provide plan revisions to the staff to address outstanding concerns and provide answers to the questions asked.

The Board decided to invite McKay's, Mr. Valeriani, Crown Castle, Mr. Roland Bartl to a meeting with Chairman Niemyski to discuss and resolve the easement issues at 982 Main Street. It is the understanding of the Board, confirmed by Mr. Valeriani, that, if these matters could be resolved, the need for the proposed new tower at 820 Main Street would not presently exist.

The motion was made to continue the public hearing on March 27, 2007 at 8:00 PM at the Memorial Library.

The motion passed unanimously. The Applicant signed a hearing continuation agreement to March 27, 2007 that also extends the decision deadline to April 26, 2007.

#### **VI. QRCC compliance Status report**

Mr. Steve Graham, of Graham & Harsip, P.C was present to follow up on issues regarding permit compliance and required peer review raised at the previous meeting of the Board. Mr. Graham stated since being notified of the issues payment has been made to ENSR, the 2007 contract has been signed and forwarded to Mr. Toohill at ENSR; the pesticide storage unit is on order, the water monitoring is being worked on to comply with the special permit and DEP, and the IPM Reports are being worked on and will be completed within three weeks.

The Board Chairman thanked Mr. Graham for the status update.

#### **VII. Formal Vote of Recomm. – BOS Hearing – Street Acceptance – Colonial Acres IV (Squirrel Hill Road and Marian Road**

The Board asked staff to send a letter to Mr. Sweeney, the developer, regarding the unfinished work, and that he must complete the work within 120 days of the Town Meeting acceptance. Otherwise the bond will be pulled.

Mr. Schaffner moved to issue the recommendation in favor of acceptance of the streets. Mr. Densen 2<sup>nd</sup>, all in favor.

#### **VIII. Town Meeting Preparation**

Mr. Bartl discussed the final version on the zoning articles.

Ms. Niemyski moved that the Planning Board recommend to Town Meeting the flexible parking lot design article. 2<sup>nd</sup>. Motion passed 7-0.

Ms. Niemyski moved that the Planning Board recommend to Town Meeting the replacement of homes on undersized lots article . 2<sup>nd</sup>. Motion passed 7-0.

Ms. Niemyski moved that the Planning Board recommend to Town Meeting the wireless communication facilities amendment article. 2<sup>nd</sup>. Motion passed 7-0.

Ms. Niemyski moved that the Planning Board recommend to Town Meeting the removal of owner occupancy requirement for multi-family uses article. 2<sup>nd</sup>. Motion passed 7-0.

Ms. Niemyski moved that the Planning Board not recommend to Town Meeting the citizens' cell tower petition article .2<sup>nd</sup>. Motion passed 7-1.

Mr. Niemyski, Mr. Schaffner, Mr. Reichlen, and Ms. Martin will attend the Board of Selectmen meeting on March 12, 2007 at 8:45pm to present the articles. Mr. Niemyski asked staff to look into the possibility of an earlier appointment.

**Town Meeting Presenters on Articles:**

Mr. Schaffner - Flexible Parking Lot Design

Mr. Starzec - Replacements of homes on undersized lots

Mr. Reichlen - Wireless communications facilities amendments

Mr. Densen - Removal of owner occupancy requirement for multi-family uses

The meeting adjourned at 9:00PM.

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